



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Masato YAMAMICHI et al. : Mail Stop: PCT

Serial No. 10/557,197 : Attorney Docket No. 2005\_1754A

Filed November 17, 2005 :

INFORMATION PRESENTATION SYSTEM, :  
MANAGEMENT DEVICE, AND TERMINAL  
DEVICE :

[Corresponding to PCT/JP2004/008085

Filed June 3, 2004]

**SUBMISSION OF SUBSTITUTE DECLARATION AND POWER OF ATTORNEY**

Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

In response to the Decision dated October 16, 2006, submitted herewith is a Substitute Declaration and Power of Attorney signed by all inventors and heirs, and including the "citizenship" of the deceased inventor as required by the PTO. A courtesy copy of the Decision dated October 16, 2006 is enclosed herewith.

Further, the Applicants state that the heirs signing the Declaration for the deceased inventor are all of the heirs of the deceased inventor.

Respectfully submitted,

Masato YAMAMICHI et al.

By

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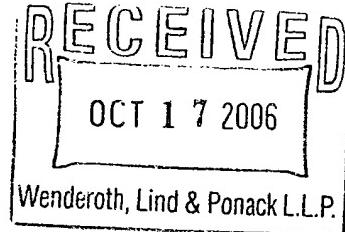
## UNITED STATES PATENT AND TRADEMARK OFFICE



16 OCT 2006

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In re Application of  
YAMAMICHI, et al.  
Application No.: 10/557,197  
PCT No.: PCT/JP04/08085  
Int. Filing Date: 03 June 2004  
Priority Date: 04 June 2003  
Attorney Docket No.: 2005\_1754A  
For: INFORMATION PRESENTATION  
SYSTEM, MANAGEMENT DEVICE,  
AND TERMINAL DEVICE

DECISION ON PAPERS

UNDER 37 CFR 1.42

This application is before the Office of PCT Legal Administration for issues arising under 35 U.S.C. 371. The combined declaration and power of attorney filed 17 November 2005 is being treated as a request for status under 37 CFR 1.42. No petition fee is due.

### BACKGROUND

On 03 June 2004, applicant filed international application PCT/JP04/08085, which claimed priority to an earlier application filed 04 June 2003. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 16 December 2004. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 04 December 2005.

On 17 November 2005, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an assignment document for recording; a First Preliminary amendment and an executed combined declaration and power of attorney.

### DISCUSSION

37 CFR 1.42 When the Inventor is Dead, states, in part:

"In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

The declaration submitted on 17 November 2005 was executed by Masami Yamamichi,

Satomi Yamamichi and Keiko Yamamichi heirs of the estate of deceased inventor, Masato Yamamichi. However, the filed declaration does not satisfy the requirements under 37 CFR 1.497 (a)-(b). Specifically, the oath or declaration must provide the citizenship, residence, and mailing address of both the deceased inventor and the signing heirs per 37 CFR 1.497(a)(3) and 37 CFR 1.63. The present declaration provides this information for the signing heirs but is blank for the deceased inventor Mr. Masato Yamamichi. In addition, applicant is required to provide a statement that the declaration lists all of the heirs of the deceased inventor and that a legal representative has not been appointed nor is statutorily required to be appointed.

### CONCLUSION

Applicant's petition under 37 CFR 1.42 is **DISMISSED, without prejudice.**

Applicant is hereby afforded **TWO (2) MONTHS** from the mail date of this decision to file an oath or declaration in compliance with 37 CFR 1.497 (a)-(b). Any reconsideration request should include a cover letter entitled, "Renewed Petition Under 37 CFR 1.42." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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